

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
REGULAR MEETING
APRIL 21, 2009**

The Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21st day of April, 2009, at the hour of 6:36 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

PLEDGE TO FLAG

Public Works Director Jim Arndt led the pledge of allegiance.

ROLL CALL

Present: Montgomery, Tell, Powell, Ward and Mayor Cohen.
Absent: None.
Clerk: Tamura.

CEREMONIAL CALENDAR

04/21/09-1. Presentation of a Proclamation Declaring the Month of May as Rotary Club of Manhattan Beach "Service Above Self" Month

The Council presented a proclamation to newly appointed Rotary President Jan Rhees declaring the month of May, 2009 as Manhattan Beach Rotary's "Magic in Giving" Month.

04/21/09-2. Presentation of Commendations to Five Girl Scouts on the Occasion of Achieving their Gold Award

The Council presented commendations to Christine Augusta, Heather Hedges, Sarah Keasler, Sarah Mullin and Lauren Woodhouse in recognition of achieving the Girl Scout Gold Award.

04/21/09-3. Presentation of the Manhattan Beach Youth Recognition Awards and Recognition of Sponsors

The Council presented Manhattan Beach Youth Recognition Awards to the following students: Antonio Florez, Founder's Award; Kiera Williams, Scholarship; and Sam Hine, Scholarship and recognized the sponsors who generously donated money.

CONSENT CALENDAR

The Consent Calendar (Item Nos. 4 through 13), consisting of items under *General Consent* and *Boards and Commissions*, was approved by motion of Mayor Pro Tem Ward, seconded by Councilmember Tell, and passed by unanimous roll call vote with the exception of Item No. 4, which was considered later in the meeting under "*Items Removed from the Consent Calendar*".

Ayes: Montgomery, Tell, Powell, Ward and Mayor Cohen.
Noes: None.
Absent: None.
Abstain: None.

GENERAL CONSENT

04/21/09-4. Approve Minutes of the City Council Adjourned Regular Session Meeting (Fire Department Staffing Study) of March 31, 2009

Item No. 4 was pulled from the "CONSENT CALENDAR". Please refer to "ITEMS REMOVED FROM THE CONSENT CALENDAR."

04/21/09-5. Approve Minutes of the City Council Regular Meeting of April 7, 2009

The Council approved the subject minutes.

04/21/09-6. Consideration of Financial Report: Ratification of Demands - April 16, 2009

The Council approved with no exception Warrant Register No. 22B in the amount of \$2,157,809.27 in payment of ratification of demands and claims as prepared by the Director of Finance, together with the original demands and claims as prepared by said Warrant Register.

04/21/09-7. Consideration of Proposed Spending Plan for the 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program

The Council approved the acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds in the amount of \$27,576; approved authorizing the City Manager to execute, on the City's behalf, the 2009 Byrne JAG Program Memorandum of Understanding between the City of Los Angeles and the City of Manhattan Beach; and approved the proposed spending plan.

04/21/09-8. Consideration of Award of Contract to Vector Resources for Data and Voice Cabling Infrastructure for Lower Level of City Hall (\$39,214.74)

The Council waived formal bidding per Municipal Code Section 2.36.150 (cooperative purchasing) and approved an award of order to Vector Resources in the amount of \$39,214.74 for data and voice cabling for the lower level of City Hall

04/21/09-9. Consideration of an Increase to a Traffic Markings Services Contract with Superior Pavement Markings in the Amount of \$14,276.94 (Revised Contract Total of \$30,000)

The Council approved an increase to an existing traffic marking services contract with Superior Pavement Markings in the amount of \$14,276.94, for a revised total of \$30,000.

04/21/09-10. Consideration of a Resolution Ordering Plans, Specifications, Cost Estimates and Engineer's Report for Annual Street Lighting Assessment

The Council adopted Resolution No. 6184.

RESOLUTION NO. 6184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ORDERING THE PREPARATION OF PLANS, SPECIFICATIONS, COST ESTIMATE, DIAGRAM, ASSESSMENT AND REPORT PURSUANT TO PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA FOR PROCEEDINGS FOR ANNUAL ASSESSMENT LEVY AFTER FORMATION OF MAINTENANCE DISTRICT

04/21/09-11. Consideration of Change Order No. 1 in the Net Amount of \$34,800 to A.J. Fistes Corporation for the Peck Reservoir Rehabilitation Project

The Council approved the subject change order.

BOARDS AND COMMISSIONS

Parking & Public Improvements Commission

04/21/09-12. Consideration of Action Minutes, Parking and Public Improvements Commission Meeting of March 26, 2009

The Council received and filed the subject action minutes.

Planning Commission

04/21/09-13. Consideration of Action Minutes, Planning Commission Meeting of April 8, 2009

The Council received and filed the subject action minutes.

COMMUNITY ANNOUNCEMENTS

04/21/09-19. Richstone Family Center Walk-A-Thon

Sherry Kramer, No Address Provided, announced the Richstone Family Center's Pier-to-Pier Walk-A-Thon on Saturday, April 25, 2009 at 7:30 a.m. at the Manhattan Beach Pier. She presented a certificate to the Council in appreciation of their support of the Center.

Unknown Speaker, Vice President of Mira Costa High School's Richstone Club, invited Council and the community to the Walk-A-Thon.

Unknown Speaker, No Address Provided, expressed appreciation for the City's continued support of the Richstone Family Center.

04/21/09-20. Sherry Kramer Re Fundraiser for John Wilhite

Sherry Kramer, No Address Provided, encouraged attendance at a fundraiser for Manhattan Beach resident Jon Wilhite, at the Daily Grill on April 26, 2009 from 3:00 p.m. to 6:00 p.m.

04/21/09-21. Mary Yollin Re "Save A Teacher" Campaign

Mary Yollin, 1700 Block of Pine Avenue, announced the "Save Our Teachers" Rummage Sale to benefit the "Save a Teacher" campaign, on May 1 and 2, 2009 at American Martyr's School. She encouraged those interested to access www.mbsaveourteachers.org for further information.

04/21/09-22. Fyllis Kramer Re Older Adults' Appreciation Month

Fyllis Kramer, No Address Provided, highlighted Older Adults' Appreciation Month. She distributed numerous items enjoyed by older adults to the Council and City staff.

04/21/09-23. Max Yollin Re Support of Schools

Max Yollin, 1700 Block of Pine Avenue, urged support of Manhattan Beach schools, particularly during these difficult economic times.

04/21/09-24. Patrick McBride Re Senior Resource Committee

Patrick McBride, 5th Street and Peck Avenue, mentioned an upcoming play sponsored by the Senior Resource Committee on May 5 and May 17, 2009 at the Creative Arts Center and Joslyn Community Center.

04/21/09-25. Peter Yollin Re Online Auction to Benefit Schools

Peter Yollin, 1700 Block of Pine Avenue, announced an online auction of lunch with a Manhattan Beach City Councilmember. All proceeds will be donated to the "Save Our Teachers" campaign and for additional information, visit www.mbsaveourteachers.org.

04/21/09-26. Rich Berry Re Baskin Robins' \$.31 Scoops

Rich Berry, Owner of Baskin Robins' in Manhattan Beach, announced that Baskin Robins will be offering \$.31 scoops on April 30, 2009 and invited the Councilmembers to assist in scooping ice cream.

04/21/09-27. Councilmember Powell Re Manhattan Beach Coordinating Council

Councilmember Wayne Powell noted Manhattan Beach Coordinating Council's luncheon on April 23, 2009 with Environmental Services Manager Sona Kalapura as guest speaker.

04/21/09-28. Councilmember Powell Re School Art Exhibition

Councilmember Wayne Powell highlighted the Manhattan Beach School Art Exhibition at the Creative Arts Center on May 1, 2009 from 6:00 p.m. to 8:00 p.m.

04/21/09-29. Mayor Pro Tem Ward Re Congratulations to Sharon Greco

Mayor Pro Tem Mitch Ward congratulated Sharon Greco on her successful art exhibition at the Creative Arts Center.

04/21/09-30. Councilmember Tell Re Congratulations to City Manager Dolan

Councilmember Nick Tell congratulated City Manager Geoff Dolan on the arrival of his first grandchild, Geoffrey Thomas.

04/21/09-31. Councilmember Montgomery Re Congratulations to Planet Pals

Councilmember Richard Montgomery congratulated Planet Pals on their receipt of an Environmental Protection Agency award.

04/21/09-32. Mayor Cohen Re Congratulations to City, VOICE and MCHS Re Earth Day

Mayor Portia Cohen voiced her appreciation of the spectacular Earth Day celebration organized by the City, VOICE and Mira Costa High School's Water Wise Pond Tour.

PUBLIC HEARINGS

04/21/09-14. Approval of a Coastal Development Permit for the Manhattan Beach Open Volleyball Tournament and Authorization for the City Manager to Execute an Agreement with the Association of Volleyball Professionals (AVP) to Co-Sponsor the 2009 Manhattan Beach Open to be Held July 16-19, 2009

City Manager Geoff Dolan related the staff recommendation to review the contract and Coastal Development Permit for the Association of Volleyball Professionals' (AVP) Manhattan Beach Open Volleyball Tournament on July 16 to 19, 2009. He advised that the proposed agreement between the City and the AVP was reviewed by the Council Subcommittee to the AVP; that the AVP would reimburse the City for all direct costs (estimated at \$60,000); that, as a co-sponsored City event, the City would waive all permit fees and the use of the City's name; and that this is the same event as last year, but on different dates.

Recreation Services Manager Mark Leyman related staff's recommendation that Council adopt Resolution No. 6183; approve the Coastal Development Permit and Temporary use Permit; authorize City Manager Dolan to execute and sign the agreement with the AVP; and provide direction regarding the sample products on the beach. He verified that there would be 75% free seating and 25% paid seating; that the estimated direct cost of \$60,000 is the fully burdened cost; that the AVP pays a security cost for clean up; and that the proposed stadium seating configuration would be slightly different than last year, in that the corner pieces may or may not be completely built out.

The Council discussed the importance of ensuring that, other than the dates, the agreement with the AVP would generally be the same as last year; whether it would be possible to use the City's name in hopes of generating sponsors; and that the City's costs to install banners for the event are billed to the AVP.

City Attorney Robert Wadden advised that using the City's name could be part of the agreement with the AVP.

Jason Hodell, AVP, advised that the stadium seating will be slightly smaller than last year; that the size of the draw was increased; and that the AVP recently launched a reality series about amateur players making the transition to professional, which could result in future revenue.

Mayor Cohen opened the Public Hearing at 7:34 p.m.

Bill Victor, No Address Provided, recalled that, because last year's successful AVP was after Labor Day, it did not cut into the summer season, which would not be the case this year. He questioned who would pay for lost parking meter revenue; proposed that the name "Manhattan Beach Open" be sold; and that the agreement should include a due date for the security deposit.

Kevin Cleary, 2400 Block of Bay View, stated his agreement with expanding the draw and suggested that winners of the junior men's tournament be automatically eligible to participate in the Open.

Mayor Cohen closed the public hearing at 7:40 p.m.

Mayor Pro Tem Ward related his interest in generating additional revenue from the Manhattan Beach Open for Manhattan Beach schools. He supported exploring the reality series mentioned earlier in this discussion by **Mr. Hodell**; licensing the name “Manhattan Beach Open” to someone who would form a partnership with the City and produce products associated with the event; accommodating amateur players who want to participate in the Open; and soliciting sponsors, such as the local movie studio.

As a member of the Council Subcommittee to the AVP, Councilmember Tell clarified that the AVP is looking for a sponsor for the reality series and, should they find one, revenue would be shared with the City. He noted that schools need money, but so does the AVP; and agreed with Mayor Pro Tem Ward that the name “Manhattan Beach Open” could be licensed to someone who would form a partnership with the City and produce products associated with the event.

The Council appointed Mayor Pro Tem Ward to explore further local sponsorships for the AVP.

City Attorney Wadden advised that, as Mayor Pro Tem, Councilmember Ward operates apart from the Council Subcommittee to the AVP and, therefore, could explore local sponsorship opportunities.

Councilmember Powell expressed his desire for the City to license the name “Manhattan Beach Open.” He pointed out that there are great revenue streams associated with the AVP and suggested that they be examined for next year.

Also a member of the Council Subcommittee to the AVP, Councilmember Montgomery pointed out that the City is the registered owner of the Manhattan Beach Open. He indicated that he could support licensing the name to someone who would form a partnership with the City and produce products associated with the event.

City Manager Dolan clarified that all of the parking meter revenue lost during the tournament is reimbursed by the AVP and it goes into the unrestricted Parking Fund.

MOTION: Councilmember Powell moved to approve a Coastal Development Permit and Temporary Use Permit for the Manhattan Beach Open Volleyball Tournament; approve authorizing the City Manager to execute an agreement with the Association of Volleyball Professionals (AVP) to Co-Sponsor the 2009 Manhattan Beach Open to be held July 16-19, 2009; approve Los Angeles County’s sampling of products on the beach at the event; and adopt Resolution No. 6183. The motion was seconded by Mayor Pro Tem Ward and passed by the following unanimous roll call vote:

Ayes: Montgomery, Tell, Powell, Ward and Mayor Cohen.
Noes: None.
Abstain: None.
Absent: None.

RESOLUTION NO. 6183

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A COASTAL DEVELOPEMENT PERMIT FOR THE 2009 MANHATTAN BEACH OPEN ON THE PROPERTY LOCATED AT THE SOUTH SIDE OF THE MANHATTAN BEACH PIER IN THE CITY OF MANHATTAN BEACH (ASSOCIATION OF VOLLEYBALL PROFESSIONALS)

GENERAL BUSINESS

04/21/09-15. Consideration of Request From the Manhattan Beach Unified School District for Financial Assistance for the 2009-2010 Budget Year

City Manager Geoff Dolan provided suggestions on how to proceed with consideration of this item.

Nancy Hersham, President of the Manhattan Beach Unified School District (MBUSD) Board of Trustees, emphasized the importance of the City providing financial assistance to the District for the 2009-2010 school year. She voiced appreciation of the City's donation to the District last year and requested a one-time contribution of approximately \$1,000,000 to help repay approximately \$1,300,000 in Certificates of Participation (COP), which would free up the same amount in the District's General Fund. She provided information on the efforts of the District and the Manhattan Beach Education Foundation to reduce the anticipated budget deficit and the District's plans to delay the Mira Costa High School renovations.

MBUSD Superintendent Beverly Rohrer shared information on the District's efforts to partnership with Hermosa Beach schools for services such as nurses, physical education, training, etc.

MBUSD Assistant Superintendent Steve Romines offered input regarding the anticipated timeline for the District's 2009-2010 Budget, as well as the various items to be supported by any funding the District receives.

The Council held a lengthy discussion with regard to the following: the importance of knowing how the funds in the District's General Fund freed up as a result of a donation from the City; the District's need to receive financial assistance in a timely manner, particularly due to the June 30th deadline for the adoption of the District's 2009-2010 Budget and the District's need to make decisions about programs for next year; the need to think of creative ways to obtain additional revenue for the District, such as selling/leasing surplus District property; the requirement to use Measure BB funds solely for Mira Costa High School renovations; the idea of delaying a determination until the Council discusses the City's 2009-2010 Budget; the importance of examining the District's short and long-term needs; and the idea of contributing \$1,300,000 to the District to cover the entire amount due on the COPs.

MOTION: Mayor Pro Tem Ward moved to approve granting \$1,300,000 to the Manhattan Beach Unified School District for the 2009-2010 school year with the following conditions: that the District shall provide a report to the Council on the priorities of where the funds will be spent so the Council can be conversational with constituents when asked where the money will be spent (such as how many teachers will be saved) and that the City lease surplus property from the District to provide the District revenue, whereby the City will realize a value from the property, whether it be open space or other property that would benefit the community.

MOTION FAILED DUE TO THE LACK OF A SECOND

MOTION: Mayor Pro Tem Ward moved to approve granting \$1,300,000 to the Manhattan Beach Unified School District for the 2009-2010 school year with the following conditions: that the District shall provide a report to the Council on the programs that will be reinstated and that the City lease surplus property from the District to provide the District revenue, whereby the City will realize a value from the property, whether it be open space or other property that would benefit the community. The motion was seconded by Councilmember Tell.

Prior to a roll call vote, Mayor Cohen opened the Public Hearing.

City Manager Dolan advised that a Public Hearing on this item is not required, but that Council can accept public comments at this time.

The following individuals spoke on this item:

- **Unidentified Member of the Manhattan Beach Education Foundation**
- **Edie Babbe, President, Manhattan Beach Council of PTA's**
- **Faith Lyons, 500 Block of 33rd Street**
- **Robert Bush, No Address Provided**
- **Rachel Thomas-Wilson, President Manhattan Beach Unified Teachers' Association**
- **Jennifer Williams, No Address Provided**
- **Paul Gross, No Address Provided**
- **Patrick McBride, 5th Street and Peck Avenue**
- **Maria Zaslansky, PTA Co-President**
- **Inaudible Speaker, 200 Block of 8th Street**
- **Bill Victor, No Address Provided**
- **Franca Stadvec, PTA President**

As a member of the Council Subcommittee to the School District, Councilmember Tell commented on the great property values in Manhattan Beach resulting from high-quality schools. He pointed out opportunities beyond this contribution to the District, such as leasing/selling surplus District property.

Also a member of the Council Subcommittee to the School District, Mayor Cohen clarified that tonight's discussion is about the short-term, and the Council will devise a sustainable long-term plan. She voiced her confidence that the District will come up with a reliable plan on how the funds would be distributed.

Mayor Pro Tem Ward explained his initial question as to whether the City should provide a financial contribution to the School District at this time, especially without knowing how the funds would be distributed and prior to the Council's consideration of the 2009-2010 Budget. However, after information was provided by District representatives, he supported the request with the understanding that a long-term plan will be developed and surplus District property will be leased by the City.

Councilmember Powell noted that the State mandates some programs but does not fund them. He asked that a copy of the DVD from this meeting be sent to elected State of California officials.

Councilmember Montgomery discussed the District's need for funds, which the City has in reserves. He said that, particularly due to the high-quality schools in Manhattan Beach, this would be an appropriate investment in the community.

Mayor Cohen called for the vote.

MOTION: Mayor Pro Tem Ward moved to approve granting \$1,300,000 to the Manhattan Beach Unified School District for the 2009-2010 school year with the following conditions: that the District shall provide a report to the Council on the programs that will be reinstated and that the City lease surplus property from the District to provide the District revenue, whereby the City will realize a value from the property, whether it be open space or other property that would benefit the community. The motion was seconded by Councilmember Tell and passed by the following unanimous roll call vote:

Ayes: Montgomery, Tell, Powell, Ward and Mayor Cohen.
Noes: None.
Abstain: None.
Absent: None.

RECESS AND RECONVENE

At 9:31 p.m. the Council recessed and reconvened at 9:52 p.m. with all Councilmembers present.

04/21/09-16. Consideration of a Neighborhood Traffic Management Plan Regarding Initial Measures for North Manhattan Beach (El Porto) Neighborhood

City Manager Geoff Dolan explained that the Neighborhood Traffic Management Plan for North Manhattan Beach was requested by area residents and the Council prioritized it.

Traffic Engineer Eric Zandvliet presented background information on this item and reviewed resident comments provided to the Parking & Public Improvements Commission (PPIC), the neighborhood traffic survey and the PPIC's recommendations for a six-month trial period. He clarified that staff's recommendation to the PPIC was to leave the current restrictions at the parking lot at the intersection of Ocean Drive and 40th Street, however, the PPIC recommended allowing through movement onto 40th Street. He added that a permanent swing gate would be a good option to a barricade; that bollards could be hydrologically driven during certain hours; and that the PPIC felt allowing through traffic on to 40th Street would be the natural way for traffic to go.

The Council discussed the following: concerns over the appearance of a barricade at the parking lot at the intersection of Ocean Drive and 40th Street; the idea of installing technological lighting in the pavement instead; restricting parking on Highland Avenue from 3:00 p.m. to 8:00 p.m.; restricting cut-through traffic from Highland Avenue onto residential streets; and the potential impact of allowing through traffic on to 40th Street.

Subsequent to hearing input from the public, the Council held a lengthy discussion with staff concerning various possible configurations for the parking lot at 40th Street and Ocean Avenue.

The following individuals spoke on this item:

- **Laura (Last Name Inaudible), No Address Provided**
- **Shawn Papazian, 200 Block of 40th Street**
- **Norm Usui, 100 Block of 40th Street**
- **Dave Meyers, 40th Street**
- **Speaker Name Inaudible, 4000 Block of Ocean Drive**
- **Victor Lopez, 100 Block of 40th Street**
- **June Ward, 200 Block of 40th Street**
- **Joe Williams, 200 Block of 40th Street**

- **Niki Hoffmann, 100 Block of 40th Street**
- **Bobbi Busher, No Address Provided**
- **Bob Cogan, 200 Block of Kelp Street**
- **Mike Davis, 43rd Street**
- **Lisa Gorsky, 100 Block of 39th Street**
- **Willy Leventhal, No Address Provided**
- **Bruce Greenberg, No Address Provided**
- **Ken Phillips, 100 Block of 39th Street**
- **Daryl Woodeck, Kelp Street**
- **Ed Bachelor, No Address Provided**
- **Ed Skebe, 200 Block of Kelp Street**
- **Name Inaudible, 40th Street**
- **Jesse Henlin, 40th Street**
- **Fred Cogan, Kelp Street**
- **Thomas Bates, 200 Block of 40th Street**

City Manager Dolan explained that the current configuration to exit the parking lot at 40th Street and Ocean Avenue is the best; and that, in 2002, there were impacts on adjacent streets, which is why the current configuration was chosen to help disburse traffic, and nothing has changed since then.

Noting that reconfiguring the parking log at 40th Street and Ocean would be very expensive and reduce the number of parking spaces, Mayor Pro Tem Ward related his opinion that the parking lot should remain as it currently is, but some aesthetic changes should be made.

Councilmember Powell supported the parking lot as is, with the addition of removable bollards. Having served on the PPIC, he noted that traffic is many times moved from one street to another and observed that the ideal solution for traffic problems would be ingress and egress to the parking lot on 45th Street.

Councilmember Montgomery noted the problem with treating symptoms instead of curing problems and he commented on the need to reconfigure the parking lot.

Councilmember Tell agreed with the need to reconfigure the parking lot.

Mayor Cohen expressed her concern that bollards are expensive and would be permanent. She suggested that staff be directed to further examine alternate solutions and that, per a resident suggestion, one sign directing drivers to the freeways be installed near the parking lot. Mayor Cohen related her understanding that white lines would punish residents while opening up some parking spaces to tourists.

Traffic Engineer Zandvliet advised that non-resident cars in the neighborhood are the main issue and that parking could be prohibited on the exit side of the parking lot during various hours.

City Manager Dolan advised that the Coastal Commission would object to parking restrictions as discussed above.

MOTION: Mayor Pro Tem Ward moved to approve the following: to leave the current exit configuration for the parking lot at the intersection of 40th Street and Ocean Drive as is; to explore replacing existing signs with something more aesthetically pleasing; and to examine alternatives to the gate. The motion was seconded by Councilmember Powell.

Councilmember Tell offered an amendment to the motion as follows:

MOTION: Councilmember Tell moved to approve the motion as stated by Mayor Pro Tem Ward with the inclusion that a dual entrance at 45th Street or another entrance at 36th Street, etc., shall be cut out. The amendment was seconded by Councilmember Powell and passed by the following roll call vote:

Ayes: Tell, Powell, Ward and Mayor Cohen.
Noes: Montgomery.
Abstain: None.
Absent: None.

Councilmember Montgomery explained that his dissenting vote on the status quo configuration of the parking lot is because it does not work.

City Manager Dolan confirmed that staff will provide cost estimates on the bollards and the cost to reconfigure the parking lot. He requested input from the Council on the various staff recommendations.

With regard to PPIC Recommendations there was a consensus of the Council as follows:

1. Remove the current left-turn-only restrictions on eastbound 40th Street at Ocean Drive from 3:00 to 8:00 p.m. on weekdays to allow traffic exiting the beach parking lot to proceed directly to Highland Avenue on 40th Street. Maintain the current left-turn-only restriction and barricade on southbound Ocean Drive at 40th Street from 3:00 to 8:00 p.m. on weekdays. Improve signs to clearly indicate the turn restriction and construct a swinging barricade to replace the temporary one for better driver compliance. **NO**
2. Reconstruct the existing speed humps on Ocean Drive north of 38th Street and north of 42nd Street to meet current specifications. **NO**
3. Replace all speed limit signs on Ocean Drive with high-reflectivity signs. **YES**
4. Paint a "Keep Clear" legend and post related signs on Highland Avenue at 40th Street for the south bound lanes. **YES**
5. Install stop signs on the fourth (east bound) legs of the intersections at Ocean Drive and 38th Street, 39th Street, 41st Street, 42nd Street, 43rd Street, 44th Street and Rosecrans Avenue to match existing opposing stop signs on the west bound legs. **YES** (Mayor Pro Tem Ward objected due to his minimalist approach to signs and signage bulk that would be created.)
6. Paint white edge lines on 38th Street, 39th Street, 40th Street, 41st Street, 42nd Street and 43rd Street, like the ones on 44th Street, to delineate allowable parking zones. Repaint the edge lines on 44th Street and initiate a program to repaint the lines every year. **NO**
7. Install or replace one-way signs and speed limit signs on streets east of Highland Avenue where appropriate to clearly indicate traffic requirements. **YES**

8. Paint all striping and markings on an annual basis to improve driver awareness of traffic control devices. **YES**
9. Increase enforcement of speeding and other moving violations on a regular basis. **YES**

Traffic Engineer Zandvliet clarified that, because 40th Street is a residential zone with a 25 MPH maximum speed limit, speed limit signs are not necessary and that, because of its longevity, thermal plastic is used for street markings.

Due to the late hour, the Council discussed continuing Agenda Item No. 17.

As Resolution No. 6132 states that “the City Council shall adjourn each regular meeting thereof by 10:30 p.m., unless four-fifths (4/5) of the Council Members present vote to waive or extend the required adjournment time”, Mayor Cohen called for a motion.

At 12:10 a.m. the following motion was made:

MOTION: Councilmember Ward moved to extend the Council meeting in order to hear Item No. 17 (*Final Status Report on the Fiscal Year 2008-2009 City Council Work Plan – Street Sweeping Education and Outreach Program*). The motion was seconded by Councilmember Montgomery and passed by unanimous roll call vote.

Ayes: Montgomery, Tell, Powell, Ward and Mayor Cohen.
 Noes: None.
 Abstain: None.
 Absent: None.

04/21/09-17. *Final Status Report on the Fiscal Year 2008-2009 City Council Work Plan - Street Sweeping Education and Outreach Program*

City Manager Geoff Dolan advised that the Council asked for additional outreach relative to the Street Sweeping Signage Program, but it did not change behavior; that there was significant resident opposition to additional signs; and that staff could accept a motion in favor of the current Street Sweeping Signage Program.

The Council briefly discussed that citations cannot be issued without signs.

The following individuals spoke on this item:

- **Patrick McBride, 5th Street and Peck Avenue**
- **Robert Bush, No Address Provided**

MOTION: Councilmember Tell moved to approve maintaining the current Street Sweeping Signage Program. The motion was seconded by Councilmember Montgomery and passed by the following unanimous roll call vote:

Ayes: Montgomery, Tell, Powell, Ward and Mayor Cohen.
 Noes: None.
 Abstain: None.
 Absent: None.

ITEMS REMOVED FROM THE CONSENT CALENDAR

04/21/09-4. Approve Minutes of the City Council Adjourned Regular Session Meeting (Fire Department Staffing Study) of March 31, 2009

Having removed this item from the Consent Calendar, Councilmember Montgomery related his understanding that the purpose of the Fire Department Staffing Study was solely to provide education, and that it was not meant to contain any Council discussion or cost information at this time.

City Manager Dolan recalled that the Council thanked staff for the presentation and direction was given to obtain cost estimates at a later date and return back to the Council.

Fire Chief Ferguson explained that the goal of the Study was to present staffing level information.

The Council agreed to amend the minutes of the Adjourned Regular (Fire Department Staffing Study) Meeting of March 31, 2009 to read as as follows:

Page 1, Paragrapyh 7, “...Fire Chief Ferguson iterated that the goal of the Study was to present information regarding staffing levels,”

Page 3, Paragraph 1, “Council thanked staff for the presentation and direction was given to provide cost estimates and return to Council for further discussion.”

There were no public comments on this item.

MOTION: Councilmember Powell moved to approve the minutes of the City Council Adjourned Regular (Fire Department Staffing Study) Minutes of March 31, 2009 as amended. The motion was seconded by Councilmember Tell and passed by unanimous roll call vote:

- Ayes: Montgomery, Tell, Powell, Ward and Mayor Cohen.
- Noes: None.
- Abstain: None.
- Absent: None.

AUDIENCE PARTICIPATION

04/21/09-33. Willy Leventhal Re Dog Waste on The Strand, Mobi Mats and Bike Path Safety

Willy Leventhal No Address Provided, discussed the improved situation with dog waste on The Strand; the bike path safety problems resulting from poles; and his continued pursuit of Mobi Mats to provide the physically challenged with access to the beach.

04/21/09-34. Maureen McBride Re Downtown Parking Meter Rates

Maureen McBride, No Address Provided, related the Downtown Business and Professional Association’s request to reconsider the recent increase in Downtown parking meter rates.

The Council extensively discussed whether they should place the topic of the increase in Downtown parking meter rates on a future meeting agenda.

RECESS & RECONVENE

At 12:35 a.m. the Council recessed and reconvened at 12:37 a.m. with all Councilmembers present.

The Council held a lengthy discussion on whether the parking meter rates are a major contributor to the poor economic climate in the Downtown area and suggested that the Downtown Business and Professional Association provide ideas on ways the City could assist, with the understanding that parking meter rates would be part of the discussion; that the economic problems and parking meter rates throughout the City could be examined; and that the economic climate and parking meter rates could be discussed as part of the Business Summit.

Mayor Cohen advised that discussion of ways to assist the business community, in this poor economic climate, is on the City Council Agenda for May 5, 2009.

CITY MANAGER REPORT(S)

None.

OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS

04/21/09-18. Request by Mayor Cohen to Consider the Downtown Business & Professional Association’s Request to Modify Restaurant Conditional Use Permits Relative to Holidays That Fall during the Week (Letter Attached)

Mayor Cohen outlined the Downtown Business & Professional Association’s request to modify restaurant conditional use permits relative to holidays that fall during the week.

City Manager Dolan related staff’s general agreement with the request, as well as staff’s willingness to further examine the request.

The Council directed staff to further examine this request and report back to the Council.

ADJOURNMENT - in memory of Charlotte Karlin, Henry Pearson, Courtney Stewart and Nick Adenhardt and with thoughts for John Wilhite.

At 12:53 a.m., the meeting was duly adjourned to the 5:30 p.m. Adjourned Regular Meeting to be followed by the 6:30 p.m. Regular City Council Meeting on Tuesday, May 5, 2009, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

Wendy Weeks
Recording Secretary

Portia Cohen
Mayor

ATTEST:

Liza Tamura
City Clerk

**CITY OF MANHATTAN BEACH
MINUTES OF THE CITY COUNCIL
ADJOURNED REGULAR MEETING
APRIL 21, 2009**

The Adjourned Regular Meeting of the City Council of the City of Manhattan Beach, California, was held on the 21st day of April, 2009, at the hour of 5:30 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

ROLL CALL

Present: Montgomery, Tell, Powell, Ward and Mayor Cohen.
Absent: None.
Clerk: Dolan (Acting).

CLOSED SESSION

The Council recessed into Closed Session at 5:30 p.m. and moved to open session at 6:30 p.m.

ADJOURNMENT

The meeting was duly adjourned at 6:30 p.m.

Mitch Ward
Recording Secretary

Portia Cohen
Mayor

ATTEST:

Liza Tamura
City Clerk